

REMARKS

Claims 1-19 are pending in the application. Claims 13 and 17-19 are withdrawn from consideration, and claims 1-12 and 14-16 are rejected. With this response no claims are amended, added or cancelled.

Election/Restriction

Applicant's attorney notes that the claims related to the keypad species, claims 5-7, are now rejoined with the elected claims and were examined in the present Official Action.

Claim Rejections - 35 USC §102

At paragraph 3, claims 1-4 and 8-12 are rejected under 35 USC §102(e) as anticipated in view of US patent 6,501,528, Hamada. The Office asserts that Hamada teaches an electromechanical input device comprising the features recited in claim 1 with specific reference to Figure 2A, Figure 5 and column 12, lines 10-13. Applicant's attorney respectfully requests reconsideration of this rejection.

More particularly, claim 1 is directed to an electromechanical input device for a portable electronic device. Both Figures 2A and 5 are relied upon by the Office to allegedly show anticipation. However, Figure 5 of Hamada does not disclose an electromechanical input device, but rather is directed to a stacked display device (see Hamada column 11, lines 1-2). This device is referred to as the second embodiment shown in Hamada. The first embodiment is illustrated in Figures 2A-4 (see Hamada column 7, lines 22-23).

The first embodiment does disclose a plurality of touch panel electrodes (46, 47) forming part of touch panel (32) (see Hamada column 8, lines 27-49). At the recited passage in Hamada, it is disclosed that touch panel (32) is a contact type touch panel

which partially deflects and deforms inward so that touch panel electrode (47) on the inner surface of the film substrate (41) comes into contact with touch panel electrode (46) on the front surface of the intermediate substrate (40). It is further noted in the recited passage that the touch panel electrodes (46) formed on the front surface of the intermediate substrate (40) serve as a plurality of strip-shaped x-coordinate electrodes formed parallel to each other along the row direction, and that the touch panel electrodes (47) formed on the inner surface of the other-end-side portion of the film substrate (41) act as the counter-electrode and serve as a plurality of strip-shaped y-coordinate electrodes formed parallel to each other along the column direction. This arrangement is clearly seen in Figures 2A and 2B of Hamada.

Claim 1 recites an electromechanical input device having a first layer of conductive or resistive material and a second layer of conductive or resistive material, which second layer at least partially overlaps the first layer so that the overlapping parts of the first and second layers together are responsive to touching or pressing to produce an electric input signal to the portable electronic device. Claim 1 also recites a dielectric support layer for the first layer and a dielectric support layer for the second layer, wherein at least a part of the dielectric support layer for the first layer continues passed the first layer and is bent back to act as a dielectric support layer for the second layer. Such an arrangement is not shown in Figure 2B of Hamada. In fact, there is no common dielectric support layer for the touch panel electrode layers (46, 47) as shown in Figure 2B that would continue passed the first layer and be bent back to support the second layer because the dielectric support layer for touch panel electrode layer (46) is the additional intermediate substrate (40) which is not bent anywhere. Furthermore, film substrate (41) which supports touch panel electrode layer (47) does not in any way support touch panel electrode layer (46).

The Office's reliance upon Figure 5 and the first layer (61) is not with respect to an electromechanical input device since electrodes (60, 61) are for the liquid crystal display panel (33) and have nothing to do with an input device (see Hamada column 11, lines 17-47). Thus, what the Office recites as the first layer in Figure 5 (layer 61) and

what the Office recites as the second layer in Figure 5 (layer 43') are in fact respectively part of the display panel electrodes for a second display (33) and for a first display panel (31'). Thus, the fact that a film substrate (41') may support electrodes (61, 43') is not relevant with respect to the claimed invention.

It is therefore respectfully submitted that claim 1 is not anticipated by Hamada.

For similar reasons, independent electromechanical functional module claim 9 is not anticipated by Hamada again, since the first and second layers of the claimed invention require that the first and second layers together are responsive to touching or pressing to produce an electric input signal to the recited portable electronic device.

Since independent claims 1 and 9 are believed to be not anticipated by Hamada, it is respectfully submitted that claims 2-4 and 10-12 which ultimately depend from either claim 1 or 9 are further not anticipated by Hamada.

Claim Rejections - 35 USC §103

At paragraph 4, claims 5-7 and 14-16 are rejected under 35 USC §103(a) as unpatentable over Hamada. Claims 5-7 all ultimately depend from claim 1 and are therefore believed to be distinguished over Hamada due to their dependency from claim 1.

Similarly, claim 14 depends from claim 9 which, as noted above, is believed to be not anticipated by Hamada.

Claim 15 is rejected as obvious in view of Hamada for the reasons set forth with respect to claims 9 and 14. As noted above with respect to claim 9, this claim is not anticipated by Hamada since relied upon Figure 5 is not directed to an electromechanical input device and since claim 15 recites a portable electronic device comprising an electromechanical input device for producing electric inputs for the recited engine module, wherein the electromechanical input device comprises a first layer of conductive or resistive material and a second layer of conductive or resistive

material, both on a surface of a flexible, printed circuit board and, wherein the printed circuit board acts as a dielectric support layer for the first layer and continues passed the first layer and is bent back to act as a dielectric support layer for the second layer in a manner corresponding to claims 1 and 9.

It is therefore respectfully submitted that claim 15 is not obvious under 35 USC §103(a) in view of Hamada.

Since claim 15 is believed to be distinguished over Hamada, it is respectfully submitted that claim 16 is further distinguished over Hamada due to its dependency from claim 15.

It is therefore respectfully submitted that the rejection of the claims of the present application as either anticipated or obvious in view of Hamada has been overcome for the reasons set forth herein and therefore reconsideration of the rejection of the pending claims is earnestly solicited.

The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,



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